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9 Attorneys for Plaintiff  
10 TIMPHONY L. WALKER

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 TIMPHONY L. WALKER,

14 Plaintiff,

15 vs.

16 SANTA CLARA COUNTY DEPARTMENT OF  
17 CORRECTION OFFICERS WHEELER,  
18 LIGOURI, CORRECTIONAL SERGEANT  
19 CORSO, CORRECTIONAL LIEUTENANT FRED  
20 HINK, RICHARD WITTENBERG-COUNTY  
21 EXECUTIVE, JIM BABCOCK-CHIEF OF  
22 CORRECTIONS, SANTA CLARA COUNTY  
23 DEPARTMENT OF CORRECTION, SANTA  
24 CLARA BOARD OF SUPERVISORS, AND  
25 DOES, I-V.,

26 Defendants.

CASE NO.: C-04-00022 VRW (PR)

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE PLAINTIFF'S  
DEADLINE FOR DEPOSING  
DEFENDANT SANNA LIGOURI**

Complaint Filed: January 6, 2004

1 On August 15, 2006, this Court issued an Order establishing a December 29, 2006 cutoff  
2 for deposing plaintiff Timphony Walker ("plaintiff") and defendants Elmer Wheeler and Sanna  
3 Ligouri. On December 18, 2006, pursuant to the parties' Joint Stipulation, this Court extended  
4 this deadline to February 23, 2007. Due to the following circumstances, plaintiff requests an  
5 additional extension of time to depose defendant Ligouri and respectfully submits that good cause  
6 exists for granting the proposed extension:

7 1. In an effort to complete the timely deposition of defendant Ligouri, counsel  
8 originally agreed to schedule defendant Ligouri's deposition for January 22, 2007 and advised this  
9 Court of the same in their December 28, 2006 Joint Case Management Conference Statement.

10 2. Prior to plaintiff's being able to conduct defendant Ligouri's January 22, 2007  
11 deposition, defendant Ligouri went on medical leave. She was scheduled to return to work on  
12 February 8, 2007. Accordingly, counsel agreed to reschedule defendant Ligouri's deposition for  
13 February 8, 2007.

14 3. On February 7, 2007, defendants' counsel learned that defendant Ligouri would  
15 not be returning to work on February 8, 2007 and would be unable to attend her deposition.  
16 Defendant's counsel also learned that, due to a recent surgery, defendant Ligouri would not be  
17 returning from leave on or after Saturday March 10, 2007. Because plaintiff's counsel is  
18 unavailable March 12-16 and defendant Ligouri is unavailable on March 19, 2007, defendant  
19 Ligouri's deposition cannot be scheduled until March 20, 2007 at the earliest. Plaintiff will  
20 attempt to schedule defendant Ligouri's deposition for March 20, 2007, but asks that the Court  
21 extend the deadline for deposing defendant Ligouri until March 30, 2007 in order to  
22 accommodate any unanticipated scheduling conflicts.

23 4. The parties have diligently pursued discovery. Plaintiff has completed the  
24 deposition of three third-party witnesses and defendants have also conducted a third-party  
25 deposition. The two sides have conducted an on-site inspection of the cell block where plaintiff  
26 was housed on the day of the incident and have exchanged and reviewed several thousand pages  
27 of documents. In addition, the deposition for defendant Wheeler is scheduled to occur prior to  
28 expiration of the February 23, 2007 deadline.

5. Extending Plaintiff's deadline for deposing defendant Ligouri to March 30, 2007 will not impair the parties' ability to be ready for their current trial date of October 10, 2007.

For the foregoing reasons, the parties stipulate to extending the current discovery deadline for deposing defendant Ligouri of February 23, 2007 to March 30, 2007 and submit that good cause exists for granting this extension.

IT IS SO STIPULATED:

Dated: February 8, 2007

COBLENTZ, PATCH, DUFFY & BASS LLP

By:

SABRINA L. FEVE  
Attorneys for Plaintiff  
TIMPHONY L. WALKER

Dated: February 8, 2007

ANN MILLER RAVEL  
County Counsel

By:

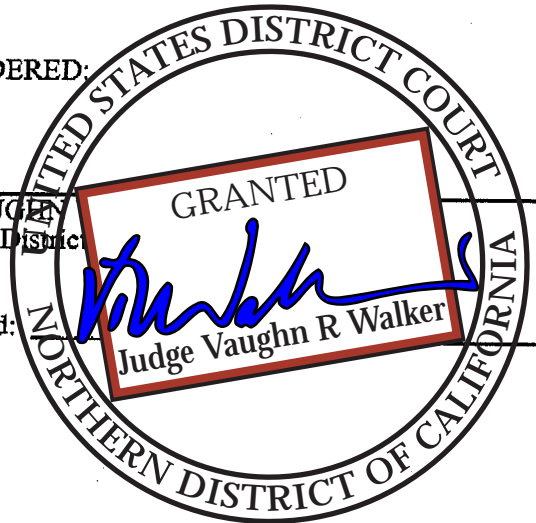
ARYN P. HARRIS  
Lead Deputy County Counsel  
Attorneys for Defendants  
Officers Wheeler and Ligouri

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: February 13, 2007

VAUGHN  
U.S. District

Dated:



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